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Mass. Anti-Slavery Society.

THE PRACTICAL

DEFEAT OF THE ABOLITION ACT,

BY

COLONIAL LEGISLATION AND STIPENDIARY MAGISTRATES.

SECOND EDITION.

4265.510

The Committee of the Birmingham Anti-Slavery Society beg to state, in this edition, that they are fully prepared to authenticate the appended documents, by original manuscripts, or by authorised copies of such papers; and that they are dispatches from Stipendiary Magistrates, from Missionaries and their confidential associates, and from civilians, long resident in the Colonies; one of the latter being a Member of Assembly. They are also able to add, that subsequent accounts entirely confirm what is stated below; and in some instances, are even more distressing.

A CONSCIOUSNESS that emotions, deeper than those of mere aversion, will arise in the minds, even of many excellent persons, at the sight of any attempt to explain the subject now submitted to their consideration, would at once repel us from such effort; were we not convinced, on the other hand, that the revival of an evil supposed to be extinct, yet re-appearing under new and specious forms, demands also a revival of remedial measures, without delay or compromise. The present appeal does indeed present itself under the most serious disadvantage. Few things are more repulsive to our feelings than to be assured, that while we are congratulating ourselves on having, as we supposed, finally triumphed, after a long and arduous struggle, yet that the very field of victory is become, after a brief interval, the enemy's strongest position. At such a crisis, we are tempted to abandon all our conquests in despair.—But the reader must not be detained from an immediate statement of the facts of the case; the object of which is to shew the actual condition of the Slaves under the delusive name of Apprentices.

With regard to the following extracts, it is necessary to apprise the reader, that they are inserted without formal regard either to date, or to the separate branches of the subject; irregularities which could not well be avoided, without covering a more extended space than the present occasion allows. The extracts are, for the same reason, abridged. The *names* of correspondents are withheld; an omission frequently occurring in the documents of other Societies; and, in this specific instance, a measure of inevitable necessity, from the personal embarrassment, and even danger, which might arise to many of the individuals who have furnished the facts*. With this short explanation, the details will speak for themselves.

* Certain, however, of the citations in the text are taken from "A Twelvemonth's Residence in the West Indies, during the transition from Slavery to Apprenticeship; by R. R. Madden, M. D." (2 vols. Cochrane and Co.) The author was one of the Stipendiary Magistrates: he resigned his commission in disgust. His work is most earnestly recommended to general perusal; and might almost be regarded as decisive of the question against the Planters, in the absence of all other evidence.

JAMAICA.

* “ I have lived these twenty years on the shores of Jamaica ; it is but recently I have arrived in England ; and I offer a few remarks, the result of experience and close observation. I assure you, sir, that unless the friends of humanity continue to bestir themselves ; if they are not as vigilant at their post as the urgency of the times demands ; their past labours will be utterly lost, and their liberality turned to no better account than to pamper the prodigal. The local magistracy will carry the point for which they strive, and then adieu to every prospect the philanthropist has hitherto been cheered with ! Be assured, that, if possible to effect it by every machination which the planter may desire, another *martial* law is not far off—another *bill of indemnity* will pass the local assembly to shield the sacrilegious and murderer—again will the chapels of the missionaries be razed to the ground—again will the negro be scourged and executed without trial—and again will the magistracy, who committed these acts in 1832, be borne out in their atrocity in crime ; of which the bill of indemnity of that session stands a recorded precedent, they may commit with impunity. On many of the estates, they began, from the 1st August, a system of annoyance towards the negroes which only shows me ten times more strongly than I thought when I wrote to you before, the real and secret history of former times. They turned women of 70 years of age, with more than 10 children alive, who during slavery were always exempt from labour, or at least any thing more than nominal labour, to the field. Another cruelty is that of depriving the *working* and *suckling* mothers of the assistance of these women to watch their children in the trays under the shade in the field, in order that the mothers may come and occasionally suckle them. It came to my knowledge that in some instances they forced them to work all day with their children *tied on their backs*.”—† “ The new law made in aid of the Abolition Act, is very bad : apprentices are now valued at 60, 80, 90, pounds ; *in fact they cannot now purchase themselves*. Some of the special magistrates flog most cruelly.”—From the *Jamaica Free Press* :—“ What amendments the council made in aid of the Abolition Act, the Elective Franchise, and some other acts, we know not ; but this we know, unless they have been very considerably modified and altered, they will only live till they reach England. It is absurd to suppose that government will give its assent to laws involving such monstrous principles as do the two Acts we have named, and some others to which the executive has given assent.”—§ “ If a person not practically acquainted with the economy of a plantation had sat down to imagine a scheme that could entirely mar the benevolence of this great measure, he could never have devised an expedient equally successful with that by which the creole mind turned the whole blessing into a curse. The accommodation, aid, and indulgences withheld from the negro—the means by which this state has been effected, are not in any instances, except one, of sixpence worth to the estate ; but they were of vast value to the ease, quiet, and comfort of the people. On the south side of the island they refined still more—they did not permit the people to sell the provisions gathered from their own grounds, on the plea that the law required that the grounds should exclusively be for their own mainte-

* May 28, 1835.

† Feb. 24, 1835.

‡ Oct. 18, 1834.

ance, and not for ulterior purposes.”——¶“ Our abolition law is miserably defective as to allowances, because it appeals only to the old slave law, which enacted next to nothing. The herrings’ tails and fins have been, therefore, in some districts, as I have heard, sources of incessant and grievous complaint. To these sources of irritation I may add the universal custom of cursing the people.”

§“ A shameful case has occurred at ——. Three negroes were put into the place of confinement for some fault, or alleged fault, they had committed, and let out within twenty-four hours. The following day they were put in again by the overseer. On complaint being made to Dr. Hulme, special magistrate, he fined the overseer £5. The same week their herrings were stopped in order to *repay the amount to the estate*; as the overseer gave the people to understand, he was fined by the magistrate; when the people complained about the fish, the magistrate told the people the law did not give the allowance of herrings. This is one result of the new law; *slavery therefore still lives.*”——††“ Overseers and book-keepers are not only adverse to the new system, but interested in defeating it. It has deprived them of authority; in a few years it will deprive them of bread.* Their irritation is exhibited on every trivial occasion, in expressions of invective and abuse. The vexations the negroes endure, consist in withholding the customary allowances of salted provisions, rum, and sugar; or, where they are continued, of exacting from the negro such extra labour as the law allotted for the necessary cultivation of the negro grounds. It is in vain that the Attorney-General has invoked the spirit of the law where it has been deficient in the letter, to secure for the apprentice the continuances of their usual allowances, and those privileges, which the old law afforded to the slaves, of exemption from field labour for those women who had six children living on a property, or the allotment of lighter work for those in the last months of pregnancy, or the abstraction of sufficient time from their masters for the necessary performance of the offices of maternity which was formerly permitted to the mother in the field.”——**“ The system is working worse and worse. Some of the special magistrates appear to have no regard whatever to law.”——“ A number of liberal and upright special magistrates have resigned their commissions in disgust; and those who remain in the special commission are persons who were formerly overseers, and others who themselves are apprentice masters; and the severe floggings they inflict, and their disregard to the interests of the apprentices, as well as the favours which they receive from estates, show that they are not fit for the important and responsible office which they hold. The apprentices view them with distrust and indignation, instead of confiding in them as friends and protectors. Their hopes are in many respects dashed; and *several of them have said to me, that they wished the 1st of August had never come.*”†——***“ The late Act passed in the House of Assembly, is of such a nature, that it would be difficult to prove that special magistrates have not legal authority for what they do; in Spanish

¶ Feb. 19, 1835.

§ Feb. 19, 1835.

†† Dr. Madden.

* That is, if the imperial act really becomes effective at the expiration of the apprenticeship.

** March 16, 1835.

*** Dr. Madden.

† “ I have just learned that Mr. — has been suspended from his office as Stipendiary Magistrate; and that — has been compelled to resign. Dr. — says they are two of the best men in Jamaica. Dr. — has been ordered to another district; and he has

Town, one boy died in a day or two from the flogging he received. In St. Anne's, a man died on the first or second day after his punishment." —*—"The cat is in frequent requisition, and applied to an abominable extent." —"W. James, of Wakefield plantation, cattle-man, had taken his day with the consent of his overseer. During his absence one of the cattle fell down a precipice and was killed. This fact was discovered a day or two after, and a charge preferred by the overseer before Mr. Soley, who ordered him a severe catting. The punishment was inflicted on Wednesday, the 25th of February, and William died on the Sunday following. It is said he was neglected after the flogging, until it was found he was seriously ill, and indeed, until it was too late. We hear of iron collars and the cat. The triangle at the junction of roads, in the most populous parts of the villages may be seen; but not one word about the establishment of schools for the education, or catechists for the religious instruction, of those who, we are told, are uncivilized demi-savages."—"¶If we have any further disturbance, it will be caused by the awful oppression and cruelty that is going on, I fear, over a great part of the Island."—"§You can conceive *nothing more thoroughly horrible than the system of coerced labour*, under the Apprentice Law." After alluding to the nature and severity of the punishments inflicted both on male and female negroes, he adds, "Unmitigated Slavery was nothing to this. It induces a most hopeless feeling, for it is injustice under the pretence of law; whereas the old state of things the negro knew to be lawless altogether." —"Mr. Kennedy, of St. Anne's, was indicted for shooting an old woman on his uncle's property; he had ordered her to go home before him, to be put in confinement, for assisting a negro during master's time. The woman begged hard to be let go, 'and never would help neger in massa's time again; but Mr. Kennedy would not hear her; she attempted to get away; he levelled his double-barrelled gun, and lodged the contents of one barrel in her leg and thigh. He then discharged the other barrel, but missed his aim. The wounded woman was then taken home; no doctor was sent for; and the following day she was ordered to the field. The evidence was incontrovertible, but *The Grand Jury ignored the Bill.*" ††

"Mr. Portland, of St. Anne's, was tried for the murder of an aged negro, his watchman. The circumstances were these. For some offence, he was causing the negro to walk before him, to be put in confinement. The old man did not, or could not walk as fast as Mr. P. desired; and for not doing so, Mr. P. took out his pistol and shot him through the back—the man lingered a few days, and then died. There was a verdict of manslaughter, and Mr. P. was sentenced to nine months imprisonment." †—"Mr. Mouchette, Montego Bay, was indicted for causing

refused, and is determined to try the power of the ——— to act in this arbitrary way. Seventeen special magistrates have died, resigned, or been suspended during the year; all of whom, with the exception of J——, are, I believe, the friends of the negro. Whom have we left? I fear those only who are friends of the planter."—*From a more recent communication.*

* Jamaica Watchman, March 21, 1835. ¶ March 21, 1835. § April 1, 1835.

†† This statement derives an awful importance, not from the cruelty of the individual who committed the crime, but from the circumstance, that a Grand Jury could deliberately acquit the criminal—an illustration of the public feeling existing in Jamaica among the higher ranks of society.

† In accordance, of course, with the estimate formed by colonial jurisprudence, of the amount of guilt contracted by actual murder.

one of his negroes to be torn by dogs, and severely injured thereby. The man's offence was going without the leave of the overseer to bury his wife, then dead three days, he (the overseer) having previously, on three occasions, refused the man time to dig the grave. When it was discovered that the negro in his desperation had gone without permission, Mr. M. had the dogs brought out and set on the negro. The result was the injury alluded to. The Chief Justice, to his honour, put the case before the Jury in such a way, that the white man could not escape conviction. There was a verdict of guilty, and 'the atrocious cruelty,' as the conduct of the prisoner was stigmatised by the Chief Justice, was punished with a fine of £100 currency."——"Mr. Brackenridge, a book-keeper, was tried for the murder of a negro, and for an injury done to two others, by shooting at them through the door of their hut, where they were assembled singing hymns. (I visited this man in prison, and was disgusted at the indifference he manifested.) I have not heard the result of the trial; but, from the exertions made in his behalf by the white people, I have no idea he will be convicted. These are only a few of the cases of atrocity that have gone before the higher court; but were those which have come before the special magistrates, even since last August, brought before the public, they would hardly be credited."——*“The new Bill of Mr. Batty transferred the authority of the special justices back to the local magistrates, whom the governor, in the words of the Act, was *hereby required* to appoint whenever their services might be desired. Had it not been for the strenuous opposition of the Chief Justice and the Attorney-General, this bill would have passed the council. It was thrown out, and again introduced with the words *hereby required* omitted, but in all other respects in as objectionable a form as it first appeared in, and passed the council. Whether it received as yet the sanction of the King, is not known to the public, but if it has, Mr. Batty has succeeded in defeating the British Act for the Abolition of Slavery."——†“A new law has come in force, to which I would earnestly direct your attention, in hope that the friends of the apprentices will use their endeavour to prevent it from receiving the sanction of his Majesty. In the first clause, no less than four clauses of the Abolition Act have been repealed, all of which are favourable to the apprentices. The second clause enacts that any apprentice convicted of robbery or theft shall be prevented from purchasing his apprenticeship for three years after conviction. This may be applied in case of an apprentice cutting a few canes or drinking a little cane juice without permission. The fourth clause authorizes the operations of sugar-making to be continued without ceasing for 18 hours a day, and from four to ten in the evening, by two spells working nine hours each. The eighth clause is the most exceptionable of any, as it allows penal gangs to be established on each estate. When this is carried into effect, (and the special magistrate is making preparations for it,) scenes of degradation will be exhibited, which I never witnessed during the ten years of Slavery I passed in the country. Negroes, free men, and free women, are to be worked in chains in the midst of their companions, and the *past procedure of the special magistrates* leaves no room to doubt that many will be condemned to such punishment for mere petty faults. At present, or rather by the Abolition Act, part of which has been set aside, apprentices may be sent to the parish penal gang, when the cause of their punishment may be

* Dr. Madden.

† Feb. 11, 1835.

inquired into, and in this case they labour for the common good. By the new law, however, a bonus is held out to the manager, as the estate gets the labour, to obtain convictions for trifling offences. The 10th clause requires any justice of the peace (not a special magistrate) to lodge in the jail or work-house such apprentices as leave the plantations in a greater number than four together, for the purpose of making complaints to the special magistrate. This is not only calculated to prevent just complaints from being made, but also prevents the apprentices from taking witnesses with them. The 12th clause also authorises local magistrates (not special justices) to commit apprentices to jail or house of correction. The 15th clause prohibits apprentices from voting or even attending at any public meeting. The 20th clause authorises special magistrates to confine apprentices during the night, and the intervals from labour through the day, without any obligation being imposed on the master to feed them. The 21st clause may be much abused—it allows special magistrates to authorise masters to correct juvenile offenders by switch or strap. The 22nd clause authorises the overseer to confine apprentices in the stocks, instead of merely securing them in a dark room. This may be done before they are convicted of any fault.”——*“ Many of the valuations are excessively high; as those who wish to purchase their apprenticeship are generally of the first description of negroes: and the masters on such occasions do not fail to give them the highest character for excellence, in order to enhance the value of their services to them for the remainder of their apprenticeship, and so obtain a higher valuation. The general way of proceeding is for three magistrates to put down each one his price, to add the three prices together, and take one third of the whole. Thus one may say £120, another 80, and the stipendiary magistrate may value at £40. The three sums would be £240, and the one-third £80: and this would probably be the price agreed on as the value of the remainder of the negro’s apprenticeship.”——†“ The effects of a certain Colonial Act are to prevent any negro from liberating himself unless he pay an exorbitant price. I will give you an example:—A negro belonging to an estate—say one of the great gang—applies to purchase the remainder of his apprenticeship. The master on oath states that he has never hired him out, but that he is worth 3s. 4d. per day to him, as he pays at that rate for jobbers. The apprentice cannot disprove this; and the magistrate under the act values as follows:—

Four days and a half weekly, at 3s. 4d. per day	
is 15s. per week, or £39 per year.	
Five Years and three months, supposing the valuation takes place in April, at £39 per year is	£204 15 0
Deduct one-third for contingencies.....	68 5 0

Balance of Apprentice term.....	£136 10 0
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Were such a valuation to occur, it would be quite in accordance with the new law; and unless the apprentice paid the amount, he would be compelled to remain such. The lowest valuations are now from £40 to £50. Mr. —— had to pay more than £50 for a female, whose manumission I was requested to procure immediately after the 1st of Aug., for whom I would not have given £40 one month before.”

* Feb. 26, 1835.

† April 30, 1835.

Extract of a despatch from the Marquis of Sligo, to the Right Hon. T. S. Rice,* dated 13th August, 1834 :—“ From what Colonel Macleod has informed me, I am confident, that as soon as the misunderstanding is got rid of, they (the negroes) will be quiet, unless *forced into rebellion by the conduct of the overseers*, and, I am sorry to say, *many of the masters and managing attorneys*. My letters by yesterday’s post have confirmed this opinion, as there have been several petty disturbances, attended with cases of punishment, in St. James’s, Westmoreland, and St. Elizabeth, in almost every instance caused either by the intemperate conduct of the overseers, or exaction by the proprietors or managers.”——*“ Is the dissatisfaction of the negro likely to proceed to any open disturbance, or is advantage possible to be taken of their discontent to augment the *clamour for martial law*, which the press that disgraces this country (Jamaica), and the insensate part of the community are now crying out for with so much vehemence? It is most earnestly to be desired that such may not be the case. But were disturbances to arise, and the clamour I speak of, which the governor has hitherto had the firmness to resist—were urged with still greater violence, how long might it take to goad the feeling of secret discontent to the frenzy of some overt outrage, whose violence might afford a pretext for lawless retribution under the form of martial law? It is fearful even to contemplate a repetition of the scenes of the last rebellion. I can conceive no calamity so great as the necessity for martial law in Jamaica, no security so dearly purchased as its protection, no outrages so difficult to be repressed as its excesses. A *strong feeling of the insufficiency of the present system of apprenticeship*, for any useful purpose, either of advantage to the planter, or of benefit to the apprentice as a probationary trial, induces me to express the conviction I entertain, that in the system of apprenticeship there is no security for the negro’s rights, no hope of improvement in his intellectual condition, and no adequate quantum of labour to be expected under the present system for the proprietor himself. The apprenticeship is in point of fact a continuation of slavery under a new name; and at the expiration of it, the negroes will not have been in the slightest degree improved or better fitted for freedom, than they were before its commencement. With some few honourable exceptions, we know of no inducements held out by masters or attorneys to cheerful and continuous labour. The grand mean of civilization and of promoting industry, is the cat. That, and the triangle, are to teach the ignorant, duty towards God and their neighbour—to point out the necessity of cheerful and regular labour, and the advantages of industry, sobriety, and frugality. This is the mighty experiment which is being tried in Jamaica; with what chance of success may readily be inferred from the result which attended it during the continuance of the slave system. Whether we look at the *law or the practice*, we can see nothing to induce a hope that the *apprenticeship will prove beneficial to the negroes*. The few who have endeavoured to make it what really was intended to be, a probationary state, and to actuate the labourers

* In this instance alone we have given the *names* of the parties; and the reader will see the importance of authenticating the statement in the text, by the authority of the Governor of Jamaica when addressing the Secretary for the Colonies. In another despatch Lord Sligo writes,—“ I am confident the negroes will be quiet, unless forced into rebellion by the conduct of the overseers, or exactions by the proprietors or managers.”

by a more worthy motive than the dread of the lash, have been reviled and ridiculed in every possible manner, and are only encouraged to persevere by the consciousness of the correctness of their views, and the success, which, notwithstanding all the opposition, has attended their exertions. The greatest care ought to be exercised in selecting special magistrates. Some of those now acting are men of integrity and justice, others are merely the protectors of the masters, to whom the apprentices consider it needless to apply for redress. Some of these have also an interest in apprentices, and have been accustomed to slave management. The special magistrates are frequently indebted to planters for many comforts, and even houses. Many of them are in habits of intimacy with overseers and others, and are therefore under strong temptations to decide in favour of the master."——*“Look at the sufferings of the missionaries—the destruction of places of worship, and reflect upon the horrible fate of slaves who died under the lash, while others were executed without trial; and then recollect that the bill of indemnity, passed by the very perpetrators, was provided as a safeguard against the punishment which their offences merited. Do these men repent of their conduct—do the colonists exhibit one particle of compunction—do they express the slightest regret for the past and expiate their conduct by the promise of future amendment? No, the very reverse! the cry is, “Let MARTIAL LAW come again, and we shall know what to do: the —— are PAID for now, and we cannot lose if we do not leave one black skin in the island! What can they (the parent government) do to us? We have only to pass *another Bill of Indemnity*; let what will happen, they cannot injure us.”

†“Should Parliament ever demand an investigation into the conduct of the special magistrates in this island, the public indignation, I am sure, will know no bounds at the exposure which must follow. Nine out of ten magistrates are decidedly in the hands of the planters—are, I may say, *head drivers* of districts—obsequiously doing the bidding of former slave managers. I have reason to believe that there has been more corporal punishment in the island, under the direction of special magistrates, since the 1st of August, than had been inflicted by the planters during the last eighteen months of slavery. The magistrate who resorts most freely to the lash is, of course, the greatest favourite. It is the policy of the planters to disgust the apprentices with the new power—to make the magistrate an object of terror rather than respect: by this means to keep him (the negro) from making appeals to the magistrates when his rights are infringed on by his master; and, in fact, to force him to purchase immunity from *special* punishment, by throwing himself on the tender mercies of his former owner.”——††“I went on the 11th instant to Rodney Hall workhouse, and saw the treadmill. I went upon it to try it. It is a most frightful instrument of torture and death. The person at the workhouse told me that two pregnant females had died in consequence of having been put upon it; but that his master did not know the state they were in, or he would not have put them on the mill. The poor workhouse negroes are put upon the wheel every morning before going to work upon the road, for twenty minutes; and again for twenty minutes each evening in coming from it. Their yells are dreadful; and when a poor wretch misses step, he has his leg skinned by the mill, and he is flogged until he regains his position upon it. One old man told me, he heard all

* May 28, 1835.

† April 30, 1835.

†† Feb. 26, 1835.

the negroes around him saying they would rather take a severe flogging, than be put upon that mill every day for a fortnight. If we have any further disturbance, it will be caused by the awful oppression and cruelty that is going on I fear over a great part of the island."—"I am sorry to say Captain ——'s information from Jamaica is any thing but satisfactory. He is one of the magistrates who protected the negroes, and, therefore, has been persecuted. One fellow of the name of ——, a *magistrate* of the country till last December, has laid actions against him; the damages of which amount to nine thousand pounds. I have little hope of amelioration of the condition of the negroes while this system of apprenticeship lasts. The attornies, and planting agents of the proprietors, who compose the House of Assembly, are playing a *very deep game*; they are seeking to oust the absent proprietors, to induce them to dispose of their properties for little or nothing; alarming the timid by gloomy representations of the present state of things, and still gloomier forebodings of future prospects."—"Several slaves have said to me in the bitterness of their sorrow, that they wished things had remained as they were before. For this I always check them, and call to their minds the fact, that at the end of six years they will be free. They reply, 'But if our owners are so hard upon us, we shall not live till then.' This is a fact, that the care of their lives, which on the old system was the owner's interest, is not now of so much importance; and the apprentice feels this. If the young children are sick, the mother cannot attend them, without paying back the time so employed. They are obliged to hire a person to nurse their children, while they go to work in the fields; as the estate does not, as formerly, furnish a nurse. Their supplies of food and clothing at Christmas are very imperfectly afforded."

DOMINICA.

March 7, 1835.

"Our apprentices are as wretched, if not more so, than they were in the state of Slavery. They are in a state of general dissatisfaction, and give vent to their feelings in low murmurs, for which they are sometimes punished, but dare not complain; for the frequent example of punishment inflicted on those who have dared to complain, since the commencement of the new system, has completely paralysed their courage. *Indeed, our stipendiary magistrates, seem to have come to this country, for the purpose of punishing the negroes; they are completely in the interest of the planters. The employer who chooses to have his apprentice flogged, or otherwise punished, needs but bring him before the stipendiary magistrates, make a charge, have it supported by some wretch: sentence, such as he desires, is immediately pronounced; the accused may allege whatever he may think proper in his defence; he is seldom, if ever, attended to.* I often feel for those unfortunate people who are brought from the estates before the stipendiary magistrates, to be accused and sentenced: for the least fault imaginable, the *manager receives the magistrate's warrant* to punish his apprentice, either by flogging or confinement, or he is flogged in the public market-place, or sent to the chain gang. And over and above this punishment, he is invariably condemned to return to his employer; the time employed in journeying from the estate to town, and in the investigation before the magistrates, which often happens to be a whole day, owing to the magistrates not being found at the

office, or other causes, being taken from his own: or the apprentice is more often brought up on the Saturday, which is his own day, in order to avoid any loss of time to the employer. We have seventeen special magistrates. With the exception of two only, they are all owners, attorneys and managers, and have received their appointments for the parishes in which their estates lie. Last March, fifty-two apprentices, attached to the 'Point Mulatre' Estate in the wind-ward part of the Island, came to Roseau, *on their Saturday*, and made a complaint before our stipendiary magistrates; among them were two constables of the estate; one of them was a very intelligent man: this man, who spoke in behalf of the others, complained, that but two half days were given them since the 1st of August; that they were not allowed more than one hour at noon, (this he knew, for he wore a watch.) On Fridays, they were compelled to give grass in that noon. On Saturdays, they were compelled to give two bundles of grass; were discharged from field work at sun-set, and sent for grass, and for all this, they receive *no remuneration*, either in time or otherwise. The hurricane had destroyed all their provision grounds, which had produced famine amongst the negroes; they were refused some liquor from the boiling-house, the manager telling them, they must buy it, if they wanted it. This complaint was adjudged frivolous and vexatious, and the man was sentenced to receive thirty-nine stripes in the public market-place, and to work in the chain gang fifteen days; though our colonial Act awards but twenty stripes, or return of double the time which may have been lost to the employer, to any apprentice who may make a frivolous complaint. Three of the others were sentenced to receive twenty-five stripes each, and the rest severely reprimanded; and this punishment was awarded, notwithstanding their statement was not contradicted; neither the proprietor nor manager being present. To the present time there is not the least change for the better towards our apprentices—everything is going on in the same old way. Not long ago three of our apprentices made their escape from one of our windward estates, to the French island of Guadaloupe, and since that period many were detected about to do the same. This single fact of men whom the law has declared free, (subject but to a short probationary state, which they perfectly understand) making their escape to a country in which they know slavery exists with all its horrors, must lead to the natural inference that their condition has not been benefitted by the new law."

GRENADA.

May 15, 1835.

"A great deal of imposition is practised on the apprenticed labourers on estates in this island. During the present crop they have been cheated out of their hours of rest, both day and night. On some estates, the poor labourers are only allowed 2lbs. of Muscovado sugar, of the value of 8*d.* sterling, for the two hours allowed at noon, and they are kept at work until a *late hour* during the night, sometimes until morning; giving them little or no time to rest: and when they complain, they are told by the managers, that they are obliged to do it by law. Poor illiterate creatures, who have not, and cannot read the law to guide themselves, and seek their rights! They are, also, to be seen on the *Sabbath* mornings, after being employed at the boiling-house until an early hour of that day, filling the rum vats, and potting sugar; and this is thought *necessary* to

be done, and no remuneration is given to them. In fact, oppression and injustice are all that are offered to them. The poor little children, *under* six years of age, are the victims of their spleen. The paltry allowance of salt fish and plantains, which was allowed to them previous to the first of August, was stopped; under the idea, that the parents of those children would bind them apprentices to the property. That has had no effect: for those parents, if they have not the means of supporting their children, would rather see them perish, than subject them to the apprenticeship-system. The special magistrates were very unfit persons indeed to perform the duties.* They have displayed their cruelty on several occasions. The labourer has never been once found right by those persons in any complaint made by them against their employers. We have now only the three stipendiary magistrates, sent out by Government; and in my opinion they are quite sufficient; and if *one* of them would make himself as independent of the planters as the other two, things would be better. He takes cognizance of any frivolous complaint, when the others will not.—He is an old St. Vincent planter, and that accounts for it.”

DEMERARA.

March 7, 1835.

“The Governor and the slave owners are at daggers drawn, and they talk loudly of his being suspended. His conduct since the 1st of August has been most praiseworthy, and his exertions to obtain peace and obedience from the negroes great. If he expected that the slave owners would give up their power of terrifying the negroes, he must have found out his mistake. Some of the missionaries are threatened, and a clergyman has given offence. To advocate mild measures is abetting insubordination; and to talk of mercy, rebellion. The ships cannot get cargoes, the former dry weather will account for this, though, no doubt, it will be laid on the difficulty of getting the work done. The blacks must be relieved from the power of their former masters, or the mortality during the apprenticeship will be greater than before, and England will have given her treasures in vain. As far as concerns the condition of the slaves at present, they are worse off than ever; and the money thrown away which England voted for their relief. The official report of one of the stipendiary magistrates mentions the case of the manager of an estate in his district refusing to allow the clergyman of the parish to visit the sick, ‘Sickness in a negro, is a crime that occasions the separation of husband from wife, mother from child.’ Let government complete the work of emancipation, and free all the negroes at once. The present system is worse in many cases than the old one.”

ST. CHRISTOPHERS’.

“At the Court of Special Justices, Basseterre, 12th February, 1835. Case of Ann Mahon, a non-prædial apprentice.—This case arose out of the general permission given by one of the stipendiary magistrates to flog the small gangs on the estates, when their conduct might be deemed by those in authority over them, to be impertinent; leaving it to the discretion of those individuals to decide what conduct should be considered as impertinent. It was proved before the Court, that Ann Mahon, who was about 15 years of age, was employed with another female apprentice

* *These*, however, were dismissed by the Home Government.

in watering the garden, when the manager on some pretence or other, sent the latter away, and then began to use language and actions which cannot be repeated here; this conduct being resented by the girl, the manager immediately accused her of not carrying water fast enough, and sent for the constable and ordered him to do his duty; whereupon he seized the girl round the waist, and calling upon two male apprentices to assist him, she was taken to the mango tree; the two assistants then held her to the tree, by each taking a hand; whilst the constable, after unbuttoning her frock and taking off her handkerchief, placed himself behind her, and proceeded to flog her with a bunch of tamarind whips. After the punishment was completed, she was made to work in the garden till it was dark. When she said she should complain, she was told she might complain to whom she pleased, for the magistrate had given leave to flog the juvenile people, if they were impudent. It appeared on this inquiry, that the girl on a former occasion had resisted the criminal advances of the overseer, for which she was taken before the stipendiary magistrate already alluded to, and charged with being rude, who thereupon ordered her to be imprisoned for a week. The constable and his assistants seemed to think they were acting legally in inflicting the flogging, as they had the stipendiary magistrate's general permission to flog the small gangs on the estates within his district, at their discretion. The stipendiary magistrate was fined £5 by the Court, but he still retains his commission."

"Our Colonial Law leaves the master the option of working his people six days in the week, at seven and a half hours, or nine hours each day for five days; and he frequently, by way of punishment for any real or fancied offence not noticed by the magistrate, requires them to labour for the six days, whereby they have only small portions of time for their own use, which they can turn to no account; and thus, the prostitution ^{of the} Lord's Day is almost forced upon the negroes, who complain ^{three} ^{times,} they are obliged to labour and to sell their provisions on that day, as they have not sufficient time to do so during the week. *The planters have found the system of apprenticeship, as now administered, so little different from slavery, that they are determined to cling to it.* There are at present eight special magistrates in this island; two stipendiary and six unpaid; of the eight, three only are unconnected with estates. The dread of the special magistrates keeps the apprentices from preferring the most just complaints. During the time martial law existed, a great number of women were flogged. Recently, public stocks have been established for the purpose of punishing them. The prohibition to imprison on Sunday is *not* observed. The special magistrates, with two exceptions, have all given permission to flog the small gangs on estates, both males and females."

"To sum up the whole, the legal position of the negro in Jamaica is this;—he is nominally subject only to gratuitous labour for his master, for forty-five hours in the week, and to certain civil disabilities for public offices, which were considered incompatible with his dependent condition. Such was the intention of the mother-country, and such too, is the pretended object of the Jamaica statutes. But, in fact, he remains an *emancipated prisoner* on the plantation to which he is attached; substantially liable to the same punishments, and labouring under the same incapacities as heretofore. He cannot quit the estate, even during

his own hours, without fear of punishment. He cannot dance with his children, or associate with his neighbours, without punishment. He cannot complain to the magistrate, or remonstrate with the master, without risk of a flogging for 'insolence,' or 'unjustifiable' absence. The whip follows him at every step; imprisonment and hard labour await him at every turn. His home is converted into a prison, and the plantation into a prison-yard! and, as if to prevent the possibility of his forgetting the custody in which his apprenticeship places him, penal gangs patrol the estate, and bilboes are constructed in every village. Lastly, notwithstanding the reiterated provisions of the Colonial Acts, affecting to guarantee to him the undisturbed enjoyment of the time emphatically called his own, the machinery of those Acts is so ingeniously contrived, that he may, if he has once absented himself without permission, be legally worked for 42 hours, in uninterrupted succession, and then dismissed with a flogging if he ventures to complain! He remains destitute of nearly every right, except such as he possesses in common with the beasts of the forest; and, in one respect, his situation is worse than theirs: for the time allotted to him by the Abolition Act, to cultivate his ground and find his family in food, may be abstracted for forty shillings' currency, to be paid into the public treasury. Such is the Apprenticeship, as established by Colonial Law."*

Here we are compelled to close these fearful statements; not from any deficiency of materials, but from their exuberance; and all the difficulty is in abridgment and selection. It will be observed that the various communications from Jamaica, Demerara, St. Christophers', and Grenada, are alike depressing and offensive; and confirm, by undesigned coincidence, the general fact, that the Imperial Bill is defeated by colonial legislation and stipendiary magistrates. Dr. Madden covers the entire subject in one brief sentence,—“Slavery is to^{have} abolished in our colonies in the year 1840; but in the mean time it virtually exists under another name, and that name is Apprenticeship.” (Vol. II, p. 113.)

What reception the present, or succeeding, representations may find in the present state of the public mind, we will only so far anticipate, as to warn the reader, that if he should be staggered by counter-evidence, let him seriously contemplate this circumstance,—that throughout a controversy, which has diffused itself over forty long years, the slave has *always* been described by the opposing party as enviably content and happy. So recently as December, 1823, the following assurances, from *clergymen* in Jamaica, were published† as decisive of the question,—“In regard to temporal comforts, the situation of the negroes may be viewed with complete satisfaction.”—“As to the treatment of the negro, I am happy to declare from

* From an “Analysis of the Jamaica Acts to carry into effect the Act for Abolishing Slavery,” by a Barrister; which is strongly recommended to the readers' attention.

† Quarterly Review, No. 58, p. 485.

ocular testimony, that it is generally humane ; and every temporal comfort, which their situation demands, is willingly afforded them ; indeed a great proportion ^{and actio,} might envy their situation." And yet, ^{sed by the girl,} water fast ^{year,} Mr. Canning himself proposed as minister, ^{his duty:} possible place in the House of Commons, twelve respoⁿ tw^o, with a view to ameliorate their condition ; each of w^hich was necessarily a confession, on the part of an official witness, that twelve sources of oppression existed, demanding redress.

To lament the absolute and unmerited grant of the twenty millions, at the present hour is unavailing ; since a loan, for the first instalment at least, has been regularly proposed by Government, and at once accepted in the money market. But, as the Imperial Act declared in its preamble, that after the 1st of August, 1834, slavery should be for ever abolished, we doubtless have a legal claim to demand the fulfilment of such declaration ; and as it has been shown, by such portions of evidence as our short space allows, that Colonial cruelty continues to be unabated if not aggravated, in open defiance of the Parent country—the most barbarous acts of oppression yet perpetrated—the apprentices *adscripti glebæ*—harassed, perplexed, and insulted under the sanction of local laws—the power of legislation, and of the Executive, vested in the hands of the victims' owners, accusers, judges, juries, and executioners—the Colonial Government expressing direct hostility to the great measure of abolition itself,—it follows, as an inevitable consequence, that there can be no remedy for this accumulation of misery, (and that the friends of the slave can demand no other,) but the entire relinquishment of the apprenticeship system ; which, under a plausible name, is now undermining all the designs of the abolitionists, and leaving the slave in his former condition, disappointed of the promised good, and without hope of future emancipation.

In the closing paragraph shall be mentioned a fact, which may startle even such persons as are otherwise tolerably conversant with the lamentable inconsistencies of legislation on the subject which has occasioned the present appeal. In the Imperial Act itself—and not in any subordinate one in the West Indies—there is formally established a power to punish a slave in *time*, to an extent not exceeding seven years *after the expiration of the apprenticeship* ; also, to apprentice children under six years of age till they are one and twenty, if declared to be insufficiently provided for. This extraordinary authority is vested in the hands of *one* magistrate, often interested in acting upon its provisions ! By this machinery the local legislatures may extend slavery to an indefinite period. Independently of the Imperial Abolition Act, all legislation, and Royal assent or dissent at home, will continue to be quite nugatory, so long as there

exists a subordinate, evasive, and subversive power in the colonies them- By such anomaly, the entire system of government is plain to and or practically destroyed.

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“THE following returned appeared immediately after the NEGRO APPRENTICESHIP ACT of 1833 was passed the House of Commons. It is well known that at an early period of the Session, the Ministry had pledged themselves to bring forward a ‘safe and satisfactory measure for the abolition of slavery;’ it is also well known that a measure of entire emancipation had been prepared by Lord Howick, then Under-Secretary for the Colonies, but that when Mr. now Lord Stanley became Colonial Secretary, he substituted the present Act in its place, and that Lord Howick feeling unable to give his support to the new bill, withdrew from office. When the bill was introduced into the House of Commons, a large number of Delegates from various parts of Great Britain assembled in London for the purpose of acting in conjunction with the Metropolitan Committees and their Parliamentary friends, in the endeavour to remove some of its most obnoxious features. Their joint efforts were only so far successful as to obtain the reduction of the apprenticeship from its original term of twelve years to its present period; but the bill was still held by them to be so flagrantly unjust in principle, and so absurd and impracticable in its chief provisions, that many of their number deemed it but an act of justice to themselves to record their solemn protest against it: although they refrained from publishing this document at the time from an anxiety not to interpose even the slightest obstacle to the fair trial of a measure which they could not prevent. That trial has now been made, and it can no longer be denied that the result has realized their worst fears. Not only has the apprenticeship failed in securing to the Negro any substantial rights; not only has it been made throughout our Colonies, except Antigua, an instrument of the most terrible oppression to him, but even the term of his thralldom is in danger of being indefinitely prolonged under it, and *twenty millions sterling* will thus have been extorted from the people of England, to purchase under another name the continuance of slavery.

“The Protest is now published, in order to clear the Abolitionists before the British public from all participation in this iniquitous measure, and from the responsibility of that fearful crisis which the exemplary patience of the Negro has hitherto alone delayed, and which, it is to be feared, nothing but the speedy abolition of the apprenticeship can avert from our colonies.

“*London, August 1st, 1833.*”

“WE, the undersigned delegates from various Anti-slavery Societies, having re-assembled in London for the purpose of watching the progress of the bill for the Abolition of Colonial Slavery, and having in vain endeavoured by such influence as we could constitutionally exert to remove from the bill those provisions which appeared to us objectionable, feel it a duty to ourselves and to those who have appointed us, to make our solemn protest against the measure.

“We protest against the bill, because it is so complicated in its machinery, and so contradictory in its provisions, that it cannot be expected to work successfully among an unenlightened population, consisting of two classes, whose interests and feelings are directly opposed to each other.

“We protest against the bill, because it is calculated to disappoint the reasonable expectations of the Slaves, and thereby to excite them to revolt.

“We protest against the bill, because it confides large powers to the Colonial Legislatures, who have hitherto proved themselves wholly unworthy of such confidence.

“We protest against the bill, because while it acknowledges the urgent necessity of co-operation of Colonial Legislatures, it exhibits an irritating distrust of them, which is calculated to provoke feelings very inconsistent with mild and judicious legislation.

“We protest against the bill, because the provisions it contains for reforming the Colonial Magistracy and Police are wholly inadequate to secure the due and equitable administration of justice towards the Slaves, and thus gives additional cause of discontent and consequently of danger.

“We protest against the bill, because it proceeds on the principles that man can hold

a property in his fellow-creatures, and offers compensation for the deprivation of this alleged property.

"We protest against the bill, because in accordance with this principle it retains a servitude without wages, and labour to be impelled by brutal coercion, and under the name of Apprenticeship, upholds a system of Slavery, not as a measure of preparation, but to diminish the compensation in money.

"Finally, we protest against the bill, because its whole tenor is so arbitrary and unjust, and all the political relations it proposes to establish are so difficult, so undefined, and so incapable of peaceable and speedy adjustment, that we anticipate disturbance and bloodshed in attempting to carry it into operation.

"Reserving to ourselves the right of making many objections to its details, we make this solemn protest against those vicious principles, which it appears to us, no amendment of detail can remedy; and, regarding the whole measure as a fraud upon the just expectations of the country, expressed in the memorial of 339 delegates from all parts of it, and addressed to Earl Grey on the 18th of April last, we repudiate it as neither "safe" or "satisfactory," although by the repetition of these words, after hearing the Memorial read, his Majesty's Ministers, constructively adopted that meaning of them which our Memorial emphatically placed upon them.

"Having thus discharged a painful duty, we leave the event in the hands of God, and earnestly desire that His merciful providence will avert those disastrous consequences to which we look forward with alarm, and spare all parties the responsibility of disappointing those hopes which the open remonstrances of the country bid the Slave to entertain."

At a MEETING of the FRIENDS of the NEGRO, held at Birmingham, July 23, 1835 ;

It was resolved unanimously,—

That the Birmingham Anti-Slavery Society being virtually extinct, an Association be now formed, to be called "THE BIRMINGHAM ANTI-SLAVERY SOCIETY."

That the object of the Society be, in the first place, the protection of the Colonial Apprentices in their legal rights, and their entire emancipation at as early a period as possible, this Meeting being deeply convinced that such a measure is demanded alike by every principle of justice, of humanity, and of sound policy; the example of Antigua and the Bermudas having proved Emancipation to be not only safe in itself but triumphantly successful in its results; and an accumulation of evidence as to the working of the Apprenticeship Act in our other West India Colonies having now established beyond all contradiction the important fact, that no measure short of entire Emancipation will be found to secure to the Negro such rights as the law may give him, or to shield him from any oppression which Colonial Legislation may sanction, or the cupidity of individuals inflict.

That the Society shall be independent of any Association for similar objects in London or elsewhere; but that it shall, as far as may be deemed expedient, act in cordial co-operation with such Associations.

That the duties of the Society shall be to raise funds, to diffuse information, to exert its influence with the Members of the Legislature, to promote petitions, to call public meetings, and in general to take such other measures as may from time to time appear best calculated to promote the great object at which it aims.

That every Donor of £5, or Annual Subscriber of 10s. be a Member of the Society.

That the Gentlemen present be a Provisional Committee, with power to add to their number. That Messrs. Taylors and Lloyds be requested to accept the office of Treasurers, the Rev. John Riland and Mr. Joseph Sturge, that of Secretaries, and that a General Meeting of the Members be held once a year to receive the Report, appoint Officers, and take such other measures as they may deem needful.

☞ Subscriptions are received by the Treasurers and Secretaries.

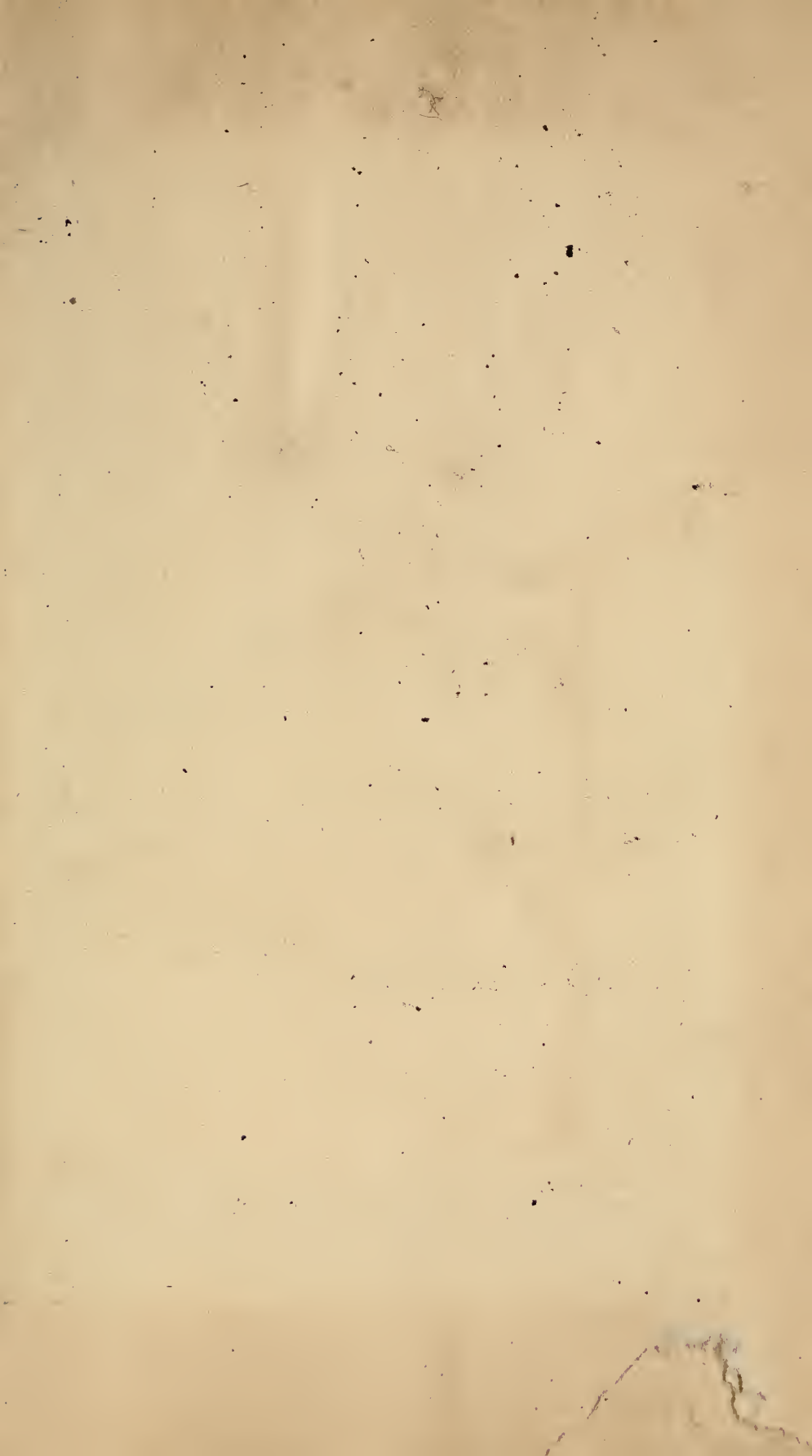
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